

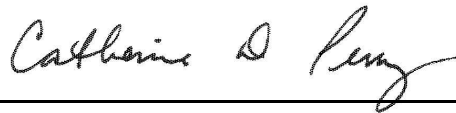
LONNY ROARK, et al.,)
)
Plaintiffs,)
)
vs.) Case No. 4:06CV392 CDP
)
SOUTH IRON R-1 SCHOOL)
DISTRICT, et al.,)
)
Defendants.)

On appeal, the Eighth Circuit affirmed the grant of summary judgment and entry of a permanent injunction, but it reversed the declaratory judgment that I had

entered in plaintiffs' favor. Even though the plaintiffs' did not prevail on the request for declaratory judgment, they still obtained the result they were seeking – defendants are permanently enjoined from distributing Bibles to elementary school children on school property – and plaintiffs remain the prevailing parties. *See* Civil Rights Attorney's Fees Act of 1975, 42 U.S.C. § 1988(b); *Hanrahan v. Hampton*, 446 U.S. 754, 758 (1980). I will therefore grant plaintiffs' motion to lift the stay of execution of attorney's fees, and I will deny defendants' motion to alter or amend the order granting attorney's fees.

Accordingly,

IT IS HEREBY ORDERED that plaintiffs' motion to lift the stay of execution of attorney's fees [#121] is granted, and defendants' motion to alter or amend the order granting attorney's fees [#122] is denied.



CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 23rd day of October, 2009.